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E.O 12958: N/A
TAGS: [PTER](#) [PREL](#) [PGOV](#) [CA](#)
SUBJECT: NO PASSPORT FOR CONVICTED TERRORIST KAMEL

REF: OTTAWA 079

11. (SBU) Summary and comment. The Supreme Court of Canada declined to hear an appeal on August 20 by convicted terrorist and naturalized Canadian citizen Fateh Kamel of the federal government's refusal to issue him a passport (reftel). The decision decisively underscores the federal government's right to deny passports to individuals on the basis of national security. End summary and comment.

12. (U) Fateh Kamel was born in Algeria in 1961. He fought against the Soviet occupation of Afghanistan in the mid 1980s, and moved to Canada in 1988. He married a Canadian schoolteacher and became a Canadian citizen in 1993. In 1991, he allegedly attended a training camp in Afghanistan, and in 1993 fought in Bosnia. In 1996, he met Osama Bin Laden in Khartoum and worked with al-Qaeda and Algerian groups. He returned to Montreal in 1997, where he allegedly specialized in the forging of documents (especially Canadian passports) for Global Jihad, and allegedly headed a group of radical Islamists, including convicted "Millennium Bomber" Ahmed Ressam. He currently resides in Montreal with his wife and young son.

13. (U) Authorities arrested Kamel in Jordan in March 1999 and extradited him to France, where courts convicted him in 2001 on charges of supporting terrorism and plotting to blow up Paris metro stations. The court sentenced him to eight years imprisonment. He served four years in prison. Authorities reduced his sentence for good behavior and released him in January 2005. He returned to Canada on January 29, 2005.

14. (U) Kamel applied for a Canadian passport in June 2005. The then-Liberal government denied the application, but in March 2008 the Federal Court ruled that the denial infringed Kamel's constitutional right to leave and enter Canada. The Federal Court of Appeal set aside the ruling in January 2009, prompting Kamel's final application to the Supreme Court, which on August 20 declined to hear the case. According to practice, the Supreme Court did not provide its reasons, while assigning any and all costs to Kamel.

HOPPER